

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

A.R.N.H., a minor, by and through his
Guardian ad Litem, ERICA M. NASH,

Case No. 2:17-00484-KJD-PAL

Plaintiff:

V.

ORDER

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.¹

Plaintiff A.R.N.H. and Guardian ad Litem Erica M. Nash has submitted an Amended Complaint (ECF No. 6) in accordance with the court's Screening Order (ECF No. 3) dismissing the original complaint with leave to amend. The court has reviewed the Amended Complaint and finds that it cures the deficiencies noted in the screening order.

Accordingly,

IT IS ORDERED:

1. The Clerk of Court shall issue summons to the United States Attorney for the District of Nevada and deliver the summons and Amended Complaint to the U.S. Marshal for service.
 2. Plaintiff shall serve the Commissioner of the Social Security Administration by sending a copy of the summons and Amended Complaint by certified mail to: (1) Office of Regional Chief Counsel, Region IX, Social Security Administration, 160 Spear St.,

¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to the Federal Rules of Civil Procedure and the Social Security Act, the court therefore substitutes Nancy A. Berryhill for Carolyn W. Colvin as the defendant in this suit. *See Fed. R. Civ. P.* 25(d) (allowing the automatic substitution of a successor to a public officer who is a party to an action but ceases to hold office while the action is pending); 42 U.S.C. § 405(g) (“Any action instituted in accordance with this subsection shall survive notwithstanding any change in the person occupying the office of Commissioner of Social Security or any vacancy in such office.”).

Suite 899, San Francisco, California 94105-1545; and (2) the Attorney General of the United States, Department of Justice, 950 Pennsylvania Avenue, N.W., Room 4400, Washington, D.C. 20530.

3. Following the Defendant's filing of an answer, the court will issue a scheduling order setting a briefing schedule.
 4. From this point forward, Plaintiff shall serve upon Defendant or, if appearance has been entered by counsel, upon the attorney, a copy of every pleading, motion, or other document filed with the Clerk of the Court pursuant to LR IC 1-1 and 4-1 of the Local Rules of Practice. In accordance with LR IC 4-1(d), the parties shall include with each filing a certificate of service stating that a true and correct copy of the document was served on an opposing party or counsel for an opposing party and indicating how service was accomplished. The court may disregard any paper received by a district judge or magistrate judge that has not been filed with the Clerk of the Court, and any paper received by a district judge, magistrate judge, or the Clerk of the Court that fails to include a certificate of service.

Dated this 2nd day of May, 2017.

Peggy A. Teer
PEGGY A. TEER
UNITED STATES MAGISTRATE JUDGE